

TELEPHONES 44476

DEPARTMENT OF THE ARMY

COASTS OF ENGINEERS

LOS ANGELES DISTRICT

PHOENIX REAL ESTATE FIELD OFFICE

2210 WEST ADAMS STREET

PHOENIX, ARIZONA

REFER TO FILE NO.

601.1 x 602 (Fort Huachuca  
Artillery Range) PSLRS

21 April 1949

SUBJECT: Status of Land Exchanges on Fort Huachuca Artillery Range

TO: District Engineer  
Los Angeles District  
Corps of Engineers, U. S. Army  
751 South Figueroa Street  
Los Angeles, California.

ATTENTION: Real Estate Division

1. The inclosed letter from the Surplus Property Purchasing Agency and reply of this office are referred to the District Engineer for suggested study.

2. It appears that the Acquisition Section is involved in that exchange is being offered of State lands within Fort Huachuca Artillery Range at the instigation and for the benefit of the Department of the Army. However the Department of the Army is no longer interested in Fort Huachuca, having transferred the same to the War Assets Administration which has executed two Deeds to the State of Arizona of Fort Huachuca. The Disposal Section is probably interested in this matter also.

3. It is recommended by this office:

a. That the Department of the Army request the Department of Interior to deed to the State of Arizona any Sections within Fort Huachuca Artillery Range on which the State of Arizona had executed deeds to the Government (and which lands were later conveyed by the War Assets Administration to the State of Arizona, apparently without legal effect) in return for the State of Arizona executing a Deed to the United States of the lands it had received in exchange for the Fort Huachuca Sections.

b. As to exchanges not yet completed, it is recommended that the Department of the Army advise the State of Arizona that the Department of the Army withdraws its request that the State offer said lands for exchange.

*Ed Atkinson*

2 Incls: (Listed on next page)

ED ATKINSON

Chief, Phoenix Real  
Estate Field Office

Incld #3-dec 26th. 9 (Huachuca, Ariz)  
Ltr to Secy. D.A. 7/15/49

USFH-00002094

Subject: Title Defects in Certain  
Lands at Ft. Huachuca,  
Arizona  
(Received 25 May 1949)

FD-302 (Ft. Huachuca,  
Ariz.) LA Dist

1st Ind

South Pacific Division, Corps of Engineers, US Army, Oakland Army Base,  
Oakland 14, California, 2 June 1949

To: Chief of Engineers, Department of the Army, Washington 25, D.C.  
Attn: ENCL

1. Simultaneously with the receipt of the basic letter, this office received a communication from the Phoenix Real Estate Office, Arizona, through the Los Angeles District, reporting upon and making recommendations concerning the subject matter.

2. The matter of exchanges of State lands in military installations has been the subject of considerable correspondence. Specific reference is made to the 4th Indorsement of 1 June 1949 to your office (Attn: ENCL) to basic of 16 January 1949, FD-30 Bill. I (Arizona-General), subject: "Exchange of State Lands," forwarding the correspondence first referred to above.

3. To summarize, it is found in many instances in the case of surplus installations in Arizona, particularly Air Force installations, which the War Assets Administration proposes to deed or transfer to the State or a political subdivision thereof, that all or a portion of the land needed by the War Assets Administration to the State has either been previously deeded by the State to the United States for the Department of the Interior or has subsequently been so conveyed. These deeds from the State to the Department of the Interior are in consummation of exchange land applications which have been approved. The San Francisco Counsel of the War Assets Administration (Mr. Frank Sayfield) is in agreement with this office to the effect that the War Assets Administration has no authority to transfer title to land which has been previously conveyed to the Government for the benefit of the Department of the Interior. Of course, subsequent conveyance by the State in consummation of an approved exchange agreement, barely results in the State divesting itself of title to land which should be retained by the State as part of an operating unit.

4. It is recommended that:

a. The Department of the Army request the Department of the Interior to deed to the State of Arizona any sections within Fort Huachuca Artillery Range on which the State of Arizona had executed deeds to the Government (and which lands were later conveyed by the War Assets Administration to the State of Arizona, apparently without legal effect) in

Index 4-602 of Thrua Loco, Ariz)  
Strt Line Survey 715149

PARADE 602 (Pt. Huachuca,

2 June 1949

Aris) LA

Subject: Title Defects in Certain  
Lands at Pt. Huachuca, Arizona

return for the State of Arizona ceding a deed to the United States  
of the lands it had received in exchange for the Fort Huachuca sections.

b. As to undemolished exchanges pertinent to surplus installations,  
the Department of the Army advise the State of Arizona that it  
withdrew its request that the State offer said lands for exchange.

5. As all exchange arrangements have been carried on at the  
Washington level, it is apparent that the working out of this plan as  
above recommended would require a tri-party understanding between the  
Department of the Army, the Department of the Interior and the State  
of Arizona, the net result to be accomplished being the stopping of  
all unconsummated exchanges wherein State lands are included within  
surplus installations, such as the subject installation, and the aux-  
iliary fields referred to which are being conveyed to the State by the  
War Assets Administration. It would also seem that certain consummated  
exchanges would by proper conveyances, both by the State and the Depart-  
ment of the Interior, revert to their former status.

6. The correspondence referred to in paragraph 2 above contains  
a complete and corrected listing of all Arizona land exchanges as of  
11 January 1949 and is the most current list available.

FOR THE DIVISION ENGINEER:

2 Incls w/c

R. H. WILCOX  
Colonel, CH  
Executive

Copy furnished!

LA Dist Engr (2)  
w/c tac ltr